
Publish date:
11/18/2014

WQC number: 098-I001-WQC-1

Public Notice

Closing Date:
12/17/2014

This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it related to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502 564-2320, or submit comments to: Water Quality Certification 2 Hudson Hollow, Frankfort KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow Frankfort, KY 40601

**COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE PERMITS**

**APPLICATION FOR WATER QUALITY CERTIFICATION
FOR SURFACE COAL MINING ACTIVITIES**

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the State which require federal permit or license are consistent with Kentucky's water quality standards found in 401 KAR Chapter 5. The Environmental and Public Protection Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at 502/564-2320.

1. OWNER:

Kentucky Division of Abandoned Mine Lands

Give name of person(s), company, governmental unit, or other owner of proposed project.

MAILING ADDRESS:

2521 Lawrenceburg Rd.

Frankfort, KY 40601

TELEPHONE #: 502-564-2141

EMAIL: jason.robinson@ky.gov

2. AGENT:

N/A

Give name of person(s) submitting application, if other than owner.

ADDRESS:

N/A

N/A

TELEPHONE #: N/A

EMAIL: N/A

3. CONSULTANT N/A

TELEPHONE #: N/A

EMAIL: N/A

4. DESCRIPTION OF CONSTRUCTION:

This project will correct problems caused by water from underground coal mines that flows out of the hillsides and has cut channels into unconsolidated pushover material on steep hillsides causing erosion that the lower main channel forcing water to flow across the roads and yards and creating moisture problems around a residence.

The project will excavate new channels sufficiently wide and deep to allow the placement of clean, limestone based aggregate without encroaching into the original channel or limiting its capacity. The construction of step-pool channels will create pools for wildlife. The limestone rock will prevent the steady headcutting and production of sediment that is transported downslope towards receiving water bodies.

Describe the type and purpose of construction and describe stream impact

5. COUNTY: Pike NEAREST COMMUNITY: Elkhorn City

6. USGS QUAD NAME: Elkhorn City

LATITUDE/LONGITUDE: 37.329947°N , 82.287757°W

7(a). STREAM NAME (List all stream reaches affected):

Unnamed tributary of Trace Fork- Main channel

Unnamed tributary of Trace Fork- Side Channel of Main Channel

WATERSHED SIZE (above the toe of permanent structure for each stream reach) in acres:

Unnamed tributary of Trace Fork- 95 acres

LINEAR FEET OF EACH STREAM IMPACTED (including flow regimes):

Unnamed tributary of Trace Fork- Main channel 880 LF perennial

Unnamed tributary of Trace Fork- side channel into main channel 200 LF intermittent

7(b). WETLANDS (Provide acreage of wetlands impacted): 0

8. DIRECTIONS TO SITE:

From the intersection of KY 197 and KY 80 in Elkhorn City take KY 80 east ~5 miles (includes entering VA). Turn left onto VA 601. Turn left onto Abes Fork at white house just past the overhead highway bridge construction project. Turn left onto Trace Fork (only option). Keep right at forks in road and follow to site.

9. HAS AN APPLICATION FOR A CORPS OF ENGINEERS 404 PERMIT BEEN SUBMITTED?

☒ Yes ☐ No TYPE OF PERMIT: NW 14 ☐ NW 21 ☐ NW 27 ☐ Individual ☐ NW 37 ☒

10. DNR (SMCRA) Permit No. NA and KPDES No. NA are associated with this mining activity.

11. LIST OF ATTACHMENTS: List plans, profiles, or other drawings and data submitted. Attach a copy of a 7.5 minute USGS topographic map clearly showing the project location.

Location Map, Construction Plans, Details, and Quadrangle Map

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct.

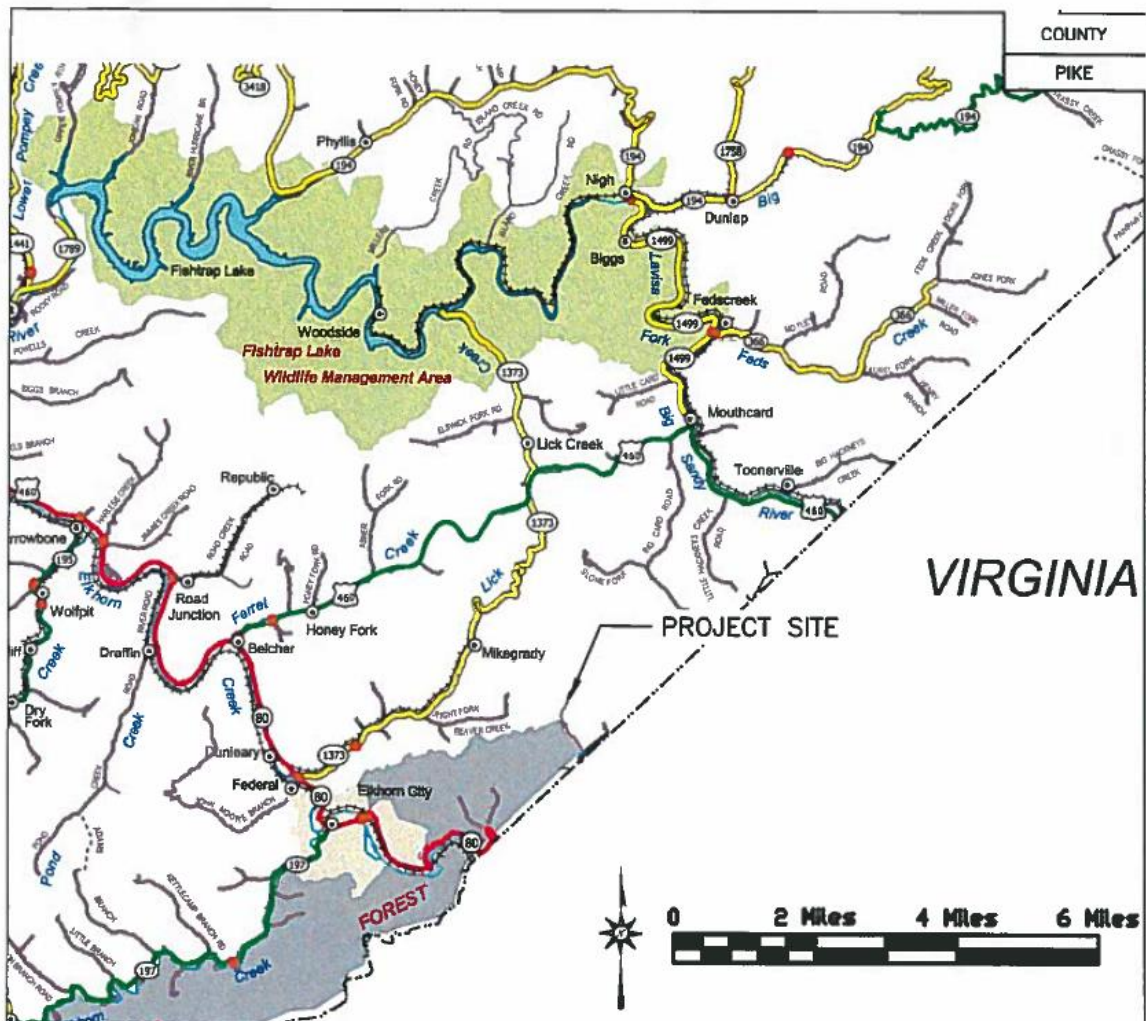
SIGNATURE:

 11/17/14 KYDAML
Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)

DATE: 11/17/14

SUBMIT APPLICATION AND ATTACHMENTS TO:

WQC Coordinator
Division of Mine Permits
2 Hudson Hollow
Frankfort, KY 40601



DRIVING DIRECTIONS:

LATITUDE: 37° 19' 47.85" LONGITUDE: 82° 17' 17.31"

DIRECTIONS:

FROM THE INTERSECTION OF KY 197 AND KY 80 IN ELKHORN CITY TAKE KY 80 EAST ~5 MILES (INCLUDES ENTERING VA). TURN LEFT ONTO VA 601. TURN LEFT ONTO ABES FORK AT WHITE HOUSE JUST PAST THE OVERHEAD HIGHWAY BRIDGE CONSTRUCTION PROJECT. TURN LEFT ONTO TRACE FORK (ONLY OPTION). KEEP RIGHT AT FORKS IN ROAD AND FOLLOW TO SITE.

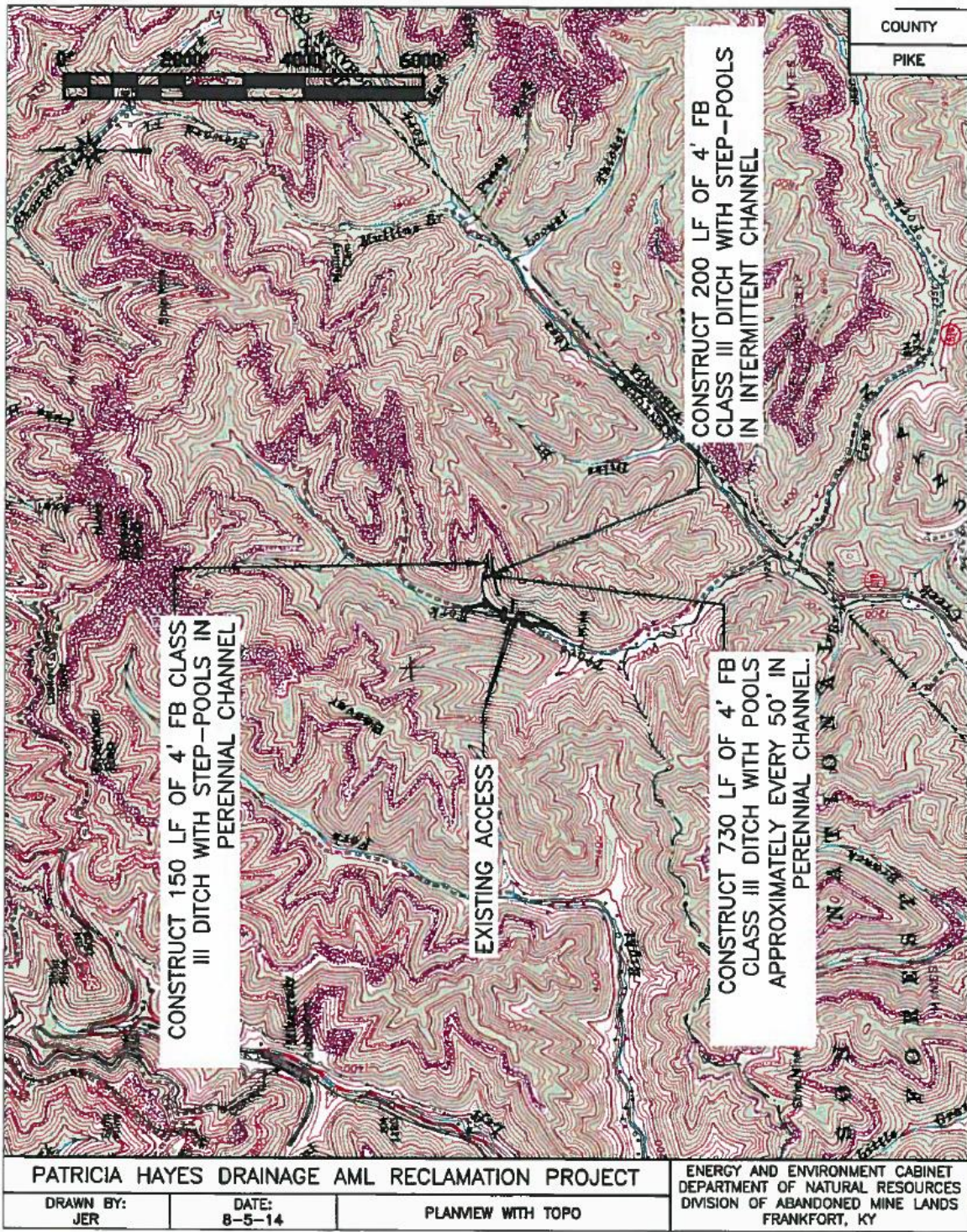
PATRICIA HAYES DRAINAGE AML RECLAMATION PROJECT

DRAWN BY:
JER

DATE:
8-5-14

LOCATION

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ABANDONED MINE LANDS
FRANKFORT, KY



COUNTY

PIKE

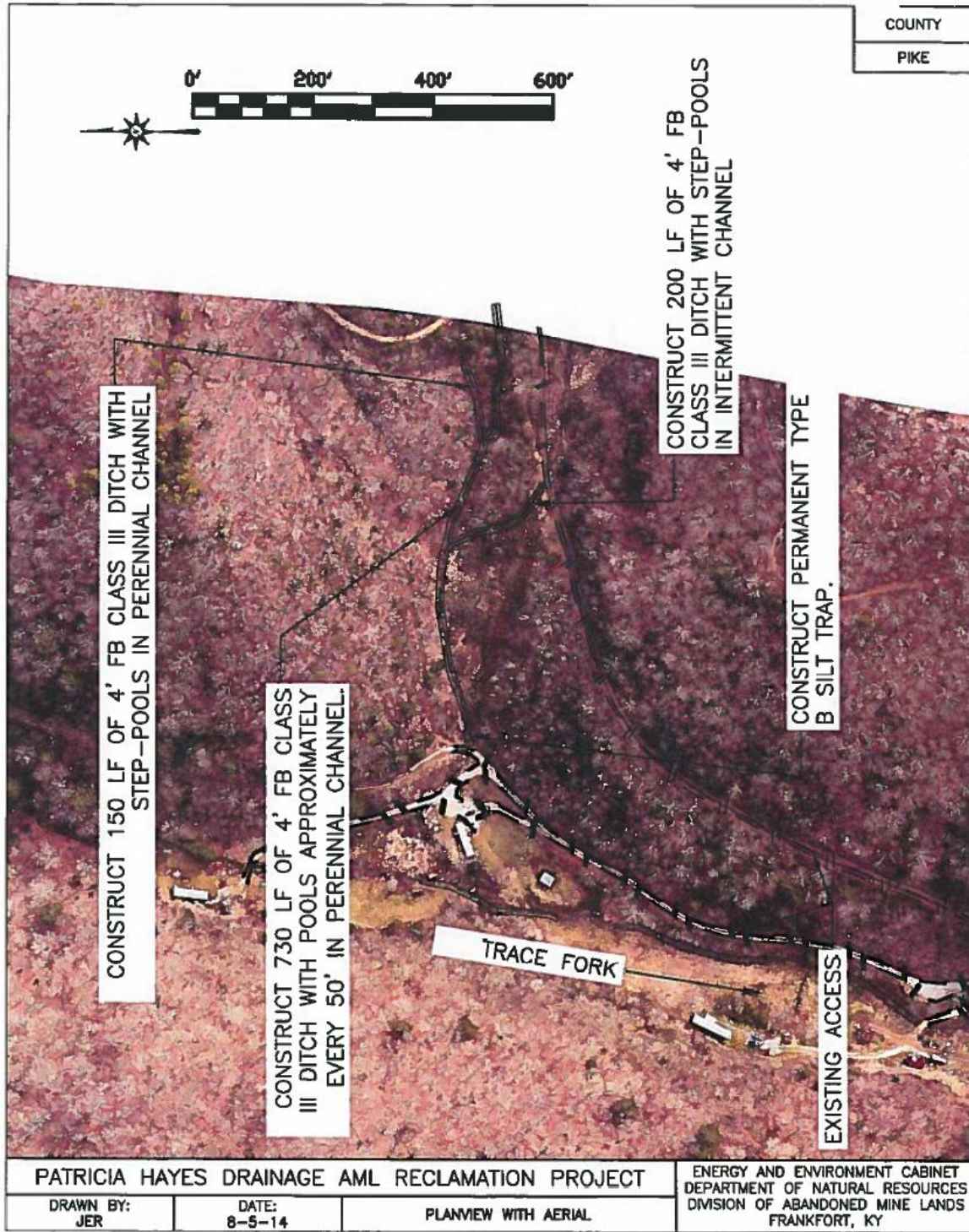
PATRICIA HAYES DRAINAGE AML RECLAMATION PROJECT

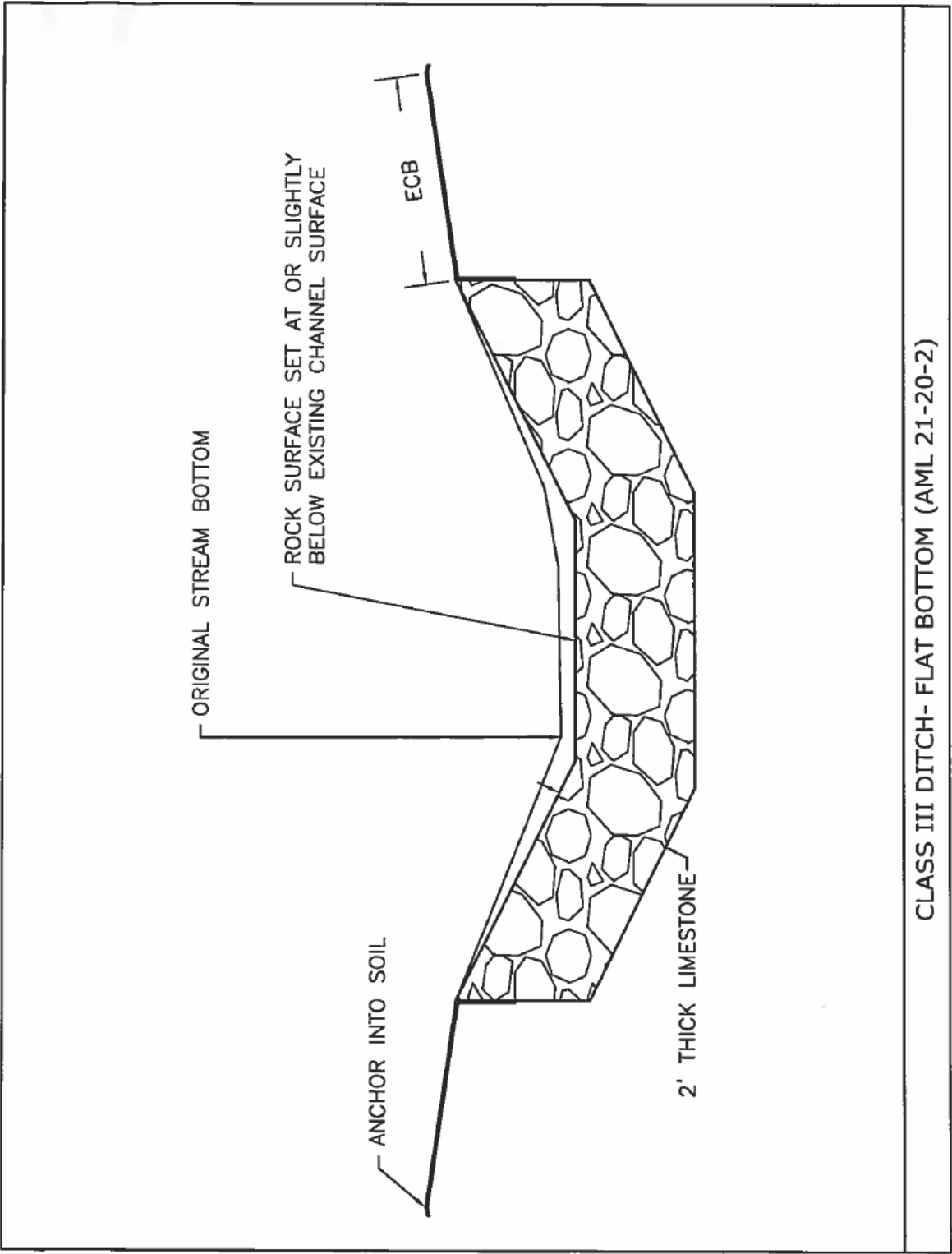
DRAWN BY:
JER

DATE:
8-5-14

PLANVIEW WITH TOPO

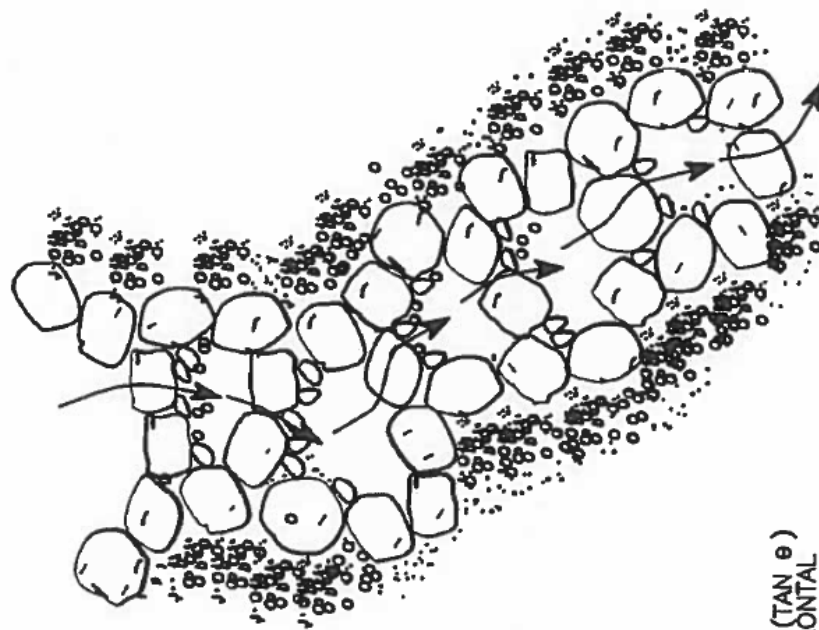
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ABANDONED MINE LANDS
FRANKFORT, KY



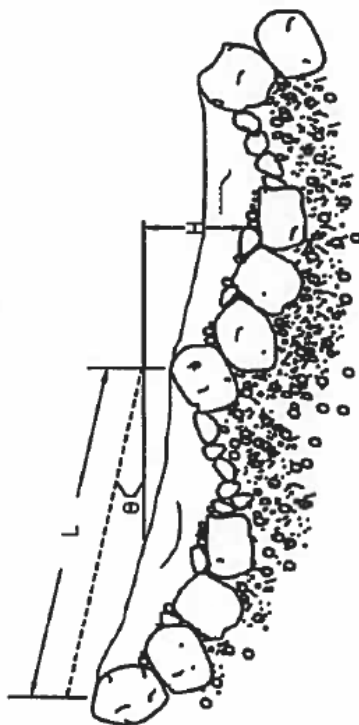


CLASS III DITCH- FLAT BOTTOM (AML 21-20-2)

PLAN VIEW: STEP POOL



DEFINITION SKETCH:
STEP POOL



NOTE:
L IS MEASURED PARALLEL TO THE BED SLOPE ($\tan \theta$)
H IS MEASURED PERPENDICULAR TO THE HORIZONTAL